

Ordinance No. 15-908

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Chapter 26, Article II (Electric Service) of the Code of Ordinances, City of Huntsville, Alabama, is hereby amended to read as follows:

Division 2 - Service Regulations

Sec. 26-84. - Standards of customer's wiring.

All wiring of the customer must conform to the city's requirements and accepted modern standards, as exemplified by the requirements of the National Electrical Safety Code, International Building Code and National Electrical Code.

(Code 1982, § 16-49)

Sec. 26-87. - Deposit.

A cash deposit or suitable guarantee, as approved by the electric utility board, not exceeding twice the highest bill, may be required of any customer or person before electric service is supplied. The electric utility board may enter into an agreement with the gas utility board and the waterworks utility board to establish a combined utility deposit; to establish a minimum deposit for all types of service and to distribute the proceeds from these deposits. Interest may be accumulated on these deposits from October 1, 1973, at a rate as may from time to time be determined by the boards and will be added to the deposit at the time service is terminated. The deposit, plus accumulated interest, may be applied against any unpaid bills of the customer and if any balance remains after such application is made, such balance shall be refunded to the customer.

(Code 1982, § 16-52)

Sec. 26-89. - Billing.

Bills will be rendered monthly and shall be paid within fifteen days from the date of the bill. Failure to receive a bill will not release the customer from payment of the obligation. Should bills not be paid, the city may at any time thereafter, after providing reasonable notice to the customer, discontinue service. Bills not paid in a timely manner will incur a late payment charge. Payments that are due on a weekend or holiday will be due the next business day.

(Code 1982, § 16-54)

Sec. 26-96. - Notice of trouble.

Customers shall notify the city immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble or accidents affecting the supply of electricity.

(Code 1982, § 16-61)

Sec. 26-102. - Right of entry.

The city's identified employees shall have access to the customer's premises at all reasonable times for the purpose of reading meters, testing, inspecting, repairing, removing or exchanging any or all equipment belonging to the city.

(Code 1982, § 16-67)

Sec. 26-103. - Termination of contract by customer.

Customers who have fulfilled their contract terms and wish to discontinue service must give at least one business days' notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to expiration of contract term will not relieve a customer from any minimum or guaranteed payment under any contract or rate.

(Code 1982, § 16-68)

Division 3 - Rates, Charges and Service Classifications

Subdivision II - Residential Rate

Sec. 26-143. - Character of service.

Voltage supplied shall be at the discretion of the electric department and shall be determined by the voltage available from distribution lines in the vicinity and/or other conditions. Multiphase service shall be supplied in accordance with the electric department's standard policy. Customers requesting additional voltage/services may be required to pay aid to construction costs.

(Code 1982, § 16-87)

Sec. 26-146. - Payment.

The rates fixed in this division are net. If any bill is not paid on or before the date shown on the bill, there will be added to the bill an amount equal to five percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00.

(Code 1982, § 16-90)

Subdivision IV. - Outdoor Lighting Rate

Sec. 26-193. - Payment.

The rates fixed in this subdivision are net. If any bill is not paid on or before the date shown on the bill, there will be added to the bill an amount equal to five percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00.

(Code 1982, § 16-106)

Sec. 26-195. - Rates—Generally.

(a)

The rates for street and park lighting systems, traffic systems and athletic field lighting installations shall be as follows:

(1)

An energy charge of \$0.004378 per kilowatt-hour.

(2)

The customer's bill for each month shall be increased or decreased in accordance with the current adjustment addendum published by the Tennessee Valley Authority.

(b)

In addition, there shall be an investment charge as follows:

(1)

The annual investment charge shall be nine percent of the installed cost to the electric department of the facilities devoted to street and park lighting service specified in this section. Such installed cost shall be recomputed on July 1 of each year, or more often if substantial changes in the facilities are made. Each month, 1/12 of the then total annual investment charge shall be billed to the customer. If any part of the facilities has not been provided at the electric system's expense or if the installed cost of any portion thereof is reflected on the books of another municipality or agency or department, the annual investment charge shall be adjusted to reflect properly the remaining cost to be borne by the electric system.

(2)

Traffic signal systems and athletic field lighting installations shall be provided, owned and maintained by and at the expense of the customer, except as the electric department may agree otherwise in accordance with the provisions of subsection (b)(3) of this section. The facilities necessary to provide service to such systems and installations shall be provided by and at the expense of the Huntsville Utilities Electric Department, and the annual investment charge provided for in subsection (b)(1) of this section shall apply to the installed cost of such facilities.

(3)

When so authorized by policy duly adopted by the electric department's governing board, traffic signal systems and athletic field lighting installations may be provided, owned and maintained by the electric department for the customer's

benefit. In such cases the electric department may require reimbursement from the customer for a portion of initial installed cost of any such system or installation and shall require payment by the customer of an investment charge sufficient to cover all of the electric department's costs (except reimbursed costs), including appropriate overheads, or providing, owning and maintaining such system or installation; provided that, for athletic field lighting installations, such investment charge shall in no case be less than 12 percent per year of such costs. Such investment charge shall be in addition to the annual investment charge on the facilities necessary to provide service to such system or installation as provided for in subsection (b)(1) of this section. Replacement of lamps and related glassware for traffic signal systems and athletic field lighting installations provided under this subsection shall be paid for under the provisions of subsection (c)(1) of this section.

(c)

The customer shall be billed and shall pay for maintenance and replacements as provided below, which shall be applied to all service for street, park lighting and traffic signal systems installed by the city.

(1)

The electric department shall bill the customer monthly for such replacements during each month at the electric department's cost of materials, including appropriate store room expense.

(2)

The electric department shall bill the customer monthly for 1/12 of the amount by which the electric department's cost of materials, including appropriate storeroom expense, exceeds the product of three mills multiplied by the number of kilowatt-hours used for street and park lighting during the fiscal year immediately preceding the fiscal year in which such month occurs.

(d)

For any billing month or part of such month in which the energy is not metered or for which a meter reading is found to be in error or a meter is found to have failed, the energy for billing purposes for that billing month or part of such month shall be computed from the rated capacity of the lamps (including ballast) plus five percent of such capacity to reflect secondary circuit losses, multiplied by the number of hours of use.

(e)

Service to athletic field lighting installations under this rate schedule shall not commence earlier than 7:00 p.m., except that the customer may be permitted to use up to ten percent (not to exceed ten kilowatts) of the total installed lighting capacity prior to commencement of such period. If the customer fails to restrict service in accordance with these requirements, service shall be billed under the general power rate.

(f)

The electric department's costs of providing service under this section are subject to review at any time and from time to time to determine if the electric department's revenues from the charges being applied are sufficient to cover such costs. If any such review discloses that revenues are either less or more than sufficient to cover such costs, the electric department shall revise the above investment charges provided for in this section so that revenues will be sufficient to cover such costs. Any such revision of the annual investment charge provided for first above in subsection (b) (1) of this section shall be by agreement between the electric department and the Tennessee Valley Authority.

(g)

Replacement of lamps and related glassware will be made in accordance with replacement policies of the electric department without additional charge to the customer.

(h)

The rates in this section are net. If any bill is not paid on or before the date shown on the bill, there will be added to the bill an amount equal to five percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00.

(i)

Service is subject to rules and regulations of the utilities electric department.

(Code 1982, § 16-108)

BE IT FURTHER ORDAINED, this Ordinance shall become effective upon its adoption and approval.

ADOPTED this the ____ day of December, 2015.

President of the City Council of the
City of Huntsville, Alabama

APPROVED this the ____ day of December, 2015.

Mayor of the City of Huntsville,
Alabama